UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,580	10/15/2003	George William Fitzmaurice	1252.1082	2335

21171   7590   10/06/2006

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ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 October 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-49* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-49* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *10/15/03* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *05/06/2004, 03/02/2004*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This application has been examined. The original claims 1-49 are pending. The examination results are as follows.

Priority

1.   Applicants are required to amend the first sentence of the specification to cross reference to other related application, identifying them by application numbers, which are now missing.

Information Disclosure Statement

2.   The examiner has considered the documents listed in forms PTO-1449 submitted with the Information Disclosure Statements (IDSs) received on 05/06/2004 and 03/02/2004 (see the attached forms PTO-1449).

Specification

3.   The abstract of the disclosure is objected to because it exceeds 15 lines and 150 words in length. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-4, 6-7, 10-11, 14-15, 20-23, 25-28, 32-33, and 44-49 are rejected under

35 U.S.C. 102(b) as being anticipated by Strauss (Patent No. US 6,246,411 B1,

hereinafter simply referred to as Strauss).

As to independent claim 1, Strauss discloses:

A graphical user interface (drag toolbar enable application, see Fig. 1A),

comprising:

a tracking symbol (the cursor 4 as shown in Fig. 7) positioned corresponding to

an input transducer (i.e., a pointing device such as a mouse, light pen, or stylus on a

touch-sensitive display screen, see col. 1, lines 18-20) movable by a user (e.g., the user

can move the cursor to select a graphic image as shown in Fig. 1B); and

a mobile tracking region ("follow me" zone 42 as shown in Fig. 7) having a region

boundary (i.e., the bounds of a region around the drag toolbar 40) enclosing the tracking

symbol (the cursor 4) with the tracking symbol being movable within the boundary (i.e.,

when the cursor 4 is within the bounds of the "follow me" zone 42, the drag toolbar 40

does not move, see col. 6, lines 59-67) with the region moving in correspondence to the

tracking symbol when the tracking symbol encounters the boundary while moving (i.e.,

when the cursor 4 moves past the "follow me" zone boundary 42, the drag toolbar 40

follows the cursor across the user's display), and the region having controls (control

buttons 8, 9 as shown in Fig. 1B) activatable when the tracking symbol corresponds to

the controls (e.g., the cursor is over the control, the control is activated, see col. 2, lines 27-30).

As to independent claims 25, 46 and 48, Strauss discloses:

An apparatus (a computer system, see col. 2, lines 18-25), comprising:

a position transducer (i.e., a pointing device such as a mouse, light pen, or stylus on a touch-sensitive display screen, see col. 1, lines 18-20);

a display (e.g., a display screen, see col. 1, lines 19-21);

an interface (drag toolbar enable application, see Fig. 1A);

a computer readable storage controlling a computer coupled to the display and the transducer (see col. 8, lines 34-45), and producing for display a first tracking symbol (the cursor 4 as shown in Fig. 7) having a first tracking symbol position controllable by the user (e.g., the user can move the cursor to select a graphic image as shown in Fig. 1B); and

a second tracking symbol ("follow me" zone 42 as shown in Fig. 7) containing the first tracking symbol (i.e., the drag toolbar is displayed in reasonably close proximity to the cursor 4), having a second tracking symbol position controlled by the first tracking symbol (i.e., when the cursor 4 moves past the "follow me" zone boundary 42, the drag toolbar 40 follows the cursor across the user's display, see col. 6, lines 59-67) and having objects selectable by the first tracking symbol (control buttons 8, 9 are selectable by the cursor 4 as shown in Fig. 1B).

As to independent claim 28, Strauss discloses:

An interface (drag toolbar enable application, see Fig. 1A), comprising:

a display (e.g., a display screen, see col. 1, lines 19-21);

a tracking menu (i.e., a drag toolbar 40 as shown in Fig. 7) positioned above the

display (i.e., the drag toolbar 40 is displayed across the user's display, see col. 6, lines

59-67), having an edge ("follow me" zone 42) and having controls positioned in the

menu (control 8, 9 are positioned in the drag toolbar 7, see Fig. 1B);

a tracking symbol (the cursor 4) positioned above the menu (see the position of

the cursor 4 in Fig. 7), encountering the edge when moved and moving the menu when

the edge is encountered (i.e., when the cursor 4 moves past the "follow me" zone

boundary 42, the drag toolbar 40 follows the cursor across the user's display, see col. 6,

lines 59-67).

As to independent claims 32 and 47, Strauss discloses:

A computer readable storage controlling a computer (see col. 8, lines 34-45) by

executing a method (i.e., a method for refining the function performed by a drag

operation, see col. 2, lines 18-20), comprising:

allowing a user to move a tracking symbol (the cursor 4) on a display (e.g., the

user can move the cursor to select a graphic image as shown in Fig. 1B); and

moving a tracking menu (i.e., a drag toolbar 40 as shown in Fig. 7) in

correspondence to the symbol (the cursor 4) when the symbol encounters an edge

("follow me" zone 42) of the menu (i.e., when the cursor 4 moves past the "follow me"

zone boundary 42, the drag toolbar 40 follows the cursor across the user's display, see

col. 6, lines 59-67).

As to independent claim 44, Strauss discloses:

A method (i.e., a method for refining the function performed by a drag operation, see col. 2, lines 18-20), comprising moving a first tracking symbol ("follow me" zone 42 as shown in Fig. 7) responsive to movement of second tracking symbol (the cursor 4; note that when the cursor 4 moves past the "follow me" zone boundary 42, the drag toolbar 40 follows the cursor across the user's display, see col. 6, lines 59-67) and moving the second tracking symbol (cursor 4) responsive to an input transducer (i.e., the user use a pointing device such as a mouse or stylus to select an object under a cursor, see col. 1, lines 18-25).

As to independent claim 45, Strauss discloses:

A method (i.e., a method for refining the function performed by a drag operation, see col. 2, lines 18-20), comprising using a single cursor movement to both move (i.e., when the cursor 4 moves past the "follow me" zone boundary 42, the drag toolbar 40 follows the cursor across the user's display, see col. 6, lines 59-67) and activate a mobile control (i.e., when the cursor 4 is-within the bounds of the "follow me" zone 42, the drag toolbar 40 does not move, the user can activate a control buttons using cursor 4).

As to independent claim 49, Strauss discloses:

A graphical user interface (drag toolbar enable application, see Fig. 1A), comprising:

a display area ("follow me" zone 42 as shown in Fig. 7) that tracks a cursor tool

when the cursor tool reaches a boundary of the area and that has a display function

(zone 42 defines the bounds of a region around the drag toolbar 40 to determine

whether the cursor is within the zone or not, see col. 6, lines 59-67); and

the cursor tool movable within the area (i.e., when the cursor 4 is within the

bounds of the "follow me" zone 42, the drag toolbar 40 does not move) and that drags

the area around when the boundary is reached (i.e., when the cursor 4 moves past the

"follow me" zone boundary 42, the drag toolbar 40 follows the cursor across the user's

display) and being activated by an input event (i.e., moving the cursor).

As to claim 2, Strauss teaches wherein the region ("follow me" zone 42 as shown

in Fig. 7) comprises a menu (i.e., a drag toolbar 40) having visible menu edge (i.e., the

frame surrounding the drag toolbar 40).

As to claim 3, Strauss teaches wherein the region comprises one of a linear

menu, a menu with an embedded marking menu, a tool palette, a color palette, a pan-

zoom tool, a pen-mouse, a keyboard, a numeric pad, one or more buttons, sliders,

checkboxes, pull-down menu, a dialog box, and an alternative view (it is noted that Fig.

1B shows a drag toolbar in a linear menu format or tool palette that has one or more

buttons, Fig. 3A displayed an embedded marking menu, Fig. 3B shows a checkboxes).

As to claim 4, Strauss teaches wherein the controls of the interface (control

buttons 8, 9 as shown in Fig. 1B) further comprise a control changed in appearance

when the tracking symbol is over the control and is active (i.e., the MOVE control button

9 is drawn so as to appear that it has been pressed, similar to known radio button depiction, see col. 3, lines 62-65 or Fig. 1B).

As to claim 6, Strauss teaches wherein the tracking symbol (the cursor 4 as shown in Fig. 7) can be activated by the user (i.e., the user moves the pointing device, see col. 1, lines 18-20) and performs a selected function when active (e.g., the user can move the cursor to select a graphic image as shown in Fig. 1B).

As to claim 7, Strauss teaches wherein a selected function is performed when the tracking symbol is active (i.e., the user would select a graphic image by clicking with a mouse button, see col. 3, lines 41-45).

As to claim 10, Strauss further teaches wherein the transducer (i.e., a point device, see col. 1, lines 18-20) corresponds to a mouse (i.e., a pointing device such as a mouse, light pen, or stylus on a touch-sensitive display screen) having a mouse button (see col. 3, lines 38-41), the tracking symbol (the cursor 40 as shown in Fig. 7) and region ("follow me" zone 42) are displayed on a tablet display (note that this invention also applies for touch-sensitive display screen device, see col. 1, lines 18-20), and the tracking symbol is activated when the mouse is one of moved and activated (i.e., the user moves the pointing device).

As to claim 11, Strauss further teaches wherein the positioning corresponding to the motion of the input transducer (i.e., the drag toolbar 40 follows the cursor 4 across the user's display, see col. 6, lines 59-67) stops under a predetermined condition (i.e.,

the cursor 4 is moving inside or within the bounds of the "follow me" zone 42) and the

region is repositioned corresponding to the tracking symbol when the condition no

longer exists (if the cursor 4 attempts to move past the zone 42).

As to claim 14, Strauss further teaches wherein the boundary is maintained

around the symbol (e.g., when the cursor is within the bounds of the "follow me" zone

42, see col. 6, lines 59-67).

As to claim 15, Strauss further teaches wherein the symbol is allowed to cross

the boundary while moving (i.e., when the cursor 4 attempts to move past the zone

boundary 42, see col. 6, lines 59-67) and the boundary surrounds the symbol when the

symbol is not moving (e.g., when the cursor is within the bounds of the "follow me" zone

42).

As to claim 20, Strauss further teaches comprising an interior tracking boundary

(i.e., a "follow me" zone 42, see col. 6, lines 59-67) interior to the region boundary (note

that zone 42 is defined as the bounds of a region around the drag toolbar 40) and the

region moving in correspondence to the tracking symbol when the tracking symbol

encounters the interior tracking boundary (i.e., when the cursor 4 moves past the "follow

me" zone boundary 42, the drag toolbar 40 follows the cursor across the user's display).

As to claim 21, Strauss further teaches wherein the interior tracking boundary

comprises a jutting wall (i.e., zone boundary 42 as seen in Fig. 7).

As to claim 22, Strauss further teaches wherein the interface has a visible edge (i.e., a frame surrounding control button 8, 9 as shown in Fig. 1B) and the boundary corresponds (e.g., zone boundary 42 as shown in Fig. 7) to one of the visible edge, outside the visible edge, inside the visible edge and overlaps the visible edge (note that the zone boundary 42 is surrounding the drag toolbar 40 which has a visible edge).

As to claim 23, Strauss further teaches wherein control activation requires a dwell (e.g., selected and hold, see col. 3, lines 40-45) by the tracking symbol (i.e., placing the cursor 4 over an object and depressing a mouse button).

As to claim 26, Strauss further teaches wherein the first and second tracking symbol positions correspond (e.g., a drag toolbar 40 is displayed in reasonably close proximity to the cursor 4, see col. 6, lines 59-63).

As to claim 27, Strauss further teaches wherein the objects (i.e., drag toolbar 40 as shown in Fig. 7) comprise controls (i.e., control buttons 8, 9 as seen in Fig. 1B).

As to claim 33, Strauss further teaches comprising allowing a user to select an item in the tracking menu without moving the tracking menu (e.g., the user can select control button in the drag toolbar 40 without moving the toolbar 40 if the cursor 4 is within the bounds of the "follow me" zone 42, see col. 6, lines 59-67).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 5, 8-9, 13, 24, 34-38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Strauss in view of Iwema et al (Patent No US 7,058,902 B2;

hereinafter simply referred to as Iwema).

As to claim 5, Strauss teaches the limitations of claim 1 for the same reasons as

discussed with respect to claim 1 above. Strauss further teaches that the region is

transparent when the tracking symbol is active (i.e., the drag toolbar 7 is transparent

when button 8 is selected, instead icon 6 will be used to depict the currently selected

option, see Fig. 1D). Strauss also discloses that the drag toolbar can be grayed out due

to certain condition (see col. 8, lines 1-10). However, Strauss does not explicitly teach

that the region is semi-transparent when the tracking symbol is inactive. Iwema,

though, teaches tracking when the tracking symbol is inactive (see col. 7, lines 11-15).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of tracking when the stylus is inactive as

taught by Iwema to the tracking menu as taught by Strauss to manipulate data, enter

text, create drawings, enter system commands and/or execute conventional computer

application tasks (see Iwema col. 7, lines 5-10).

As to claim 8, Strauss teaches the limitation of claim 7 for the same reasons as

discussed with respect to claim 7 above. Strauss further teaches wherein the

transducer (i.e., the pointing device, see col. 1, lines 18-20) corresponds to a stylus

(note that stylus is defined as part of the transducer), the tracking symbol (the cursor 40

as shown in Fig. 7) and region ("follow me" zone 42 as shown in Fig. 7) are displayed

on a tablet display (i.e., touch-sensitive display screen, see col. 1, lines 19-20).

However, Strauss does not explicitly disclose that the tracking symbol is activated when

the stylus touches the tablet.

Iwema, though, teaches the tracking symbol is activated when the stylus touches

the tablet (i.e., the stylus 204 is pressured upon the display screen to effect input, see

col. 7, lines 11-15). Thus combining Strauss and Iwema would meet the claimed

limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 9, Strauss teaches the limitations of claim 6 for the same reasons as

discussed with respect to claim 6 above. However, Strauss does not explicitly disclose

that the tracking symbol is inactive when the stylus is not touching the tablet. Iwema,

though, teaches wherein the tracking symbol is inactive when the stylus is not touching

the tablet (i.e., the stylus 204 is pressured upon the display screen to effect input, see

col. 7, lines 11-15; this statement can be understood by one of ordinary skill in the art as

the tracking symbol is inactive when the stylus is not pressured upon the display

screen). Thus combining Strauss and Iwema would meet the claimed limitation for the

same reasons as discussed with respect to claim 5 above.

As to claim 13, Strauss teaches the limitations of claim 11 for the same reasons

as discussed with respect to claim 11 above. However, Strauss does not explicitly

disclose a stylus out-of-range condition being the predetermined condition. Iwema,

though, teaches wherein the predetermined condition is a stylus out-of-range condition (i.e., stylus 204 can be cause the menu to reposition or display by hovering over on the tablet display without touching the screen, see col. 7, lines 11-15). Thus combining Strauss and Iwema would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 24, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss does not explicitly teach that the control functionality of the interface is context sensitive. Iwema, though, teaches wherein control functionality is context sensitive (i.e., context menu 306 presents the user with all or a subset of all the possible actions applicable to the object, see col. 8, lines 12-15). Thus combining Strauss and Iwema would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 34, Strauss teaches the limitations of claim 32 for the same reasons as discussed with respect to claim 32 above. Strauss further discloses that the moving of the tracking menu (i.e., floating palette, see col. 2, lines 45-49) occurs when the stylus is in tracking range of the tablet (see col. 1, lines 18-25). However, Strauss fails to teach that movement of the tracking symbol is responsive to movement by the user of a stylus over a stylus sensing tablet. Iwema, though, teaches movement of the tracking symbol is responsive to movement by the user of a stylus over a stylus sensing tablet (see col. 7, lines 13-20). Thus combining Strauss and Iwema would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 35, Strauss and Iwema teach the limitations of claim 34 for the same reasons as discussed with respect to claim 34 above. Strauss further discloses comprising making the tracking menu transparent when the stylus touches the tablet (i.e., the drag toolbar 7 is transparent when button 8 is selected, instead icon 6 will be used to depict the currently selected option, see Fig. 1D; note that stylus is also used to select a control as disclosed in col. 1, lines 18-20).

As to claim 36, Strauss and Iwema teach the limitations of claim 35 for the same reasons as discussed with respect to claim 35 above. Strauss further discloses performing a graphic function corresponding to motion of the stylus when the menu is transparent (e.g., performing a copying function when the drag toolbar is transparent, see Fig. 1D).

As to claim 37, Strauss and Iwema teach the limitations of claim 36 for the same reasons as discussed with respect to claim 36 above. Iwema further teaches wherein the function is makes a mark on the display (see Fig. 3). Thus combining Strauss and Iwema would meet the claimed limitation for the same reasons as discussed with respect to claim 5 above.

As to claim 38, Strauss teaches the limitations of claim 32 for the same reasons as discussed with respect to claim 32 above. Strauss further teaches movement of the tracking symbol (a cursor, see col. 1, lines 18-25) is responsive to movement by the user of a stylus over a stylus sensing tablet (i.e., stylus on a touch-sensitive display

screen). However, Strauss fails to teach further comprising positioning the tracking

menu in correspondence when the stylus comes into tracking range. Iwema, though,

teaches further comprising positioning the tracking menu in correspondence when the

stylus comes into tracking range (see Fig. 7A-7B). Thus combining Strauss and Iwema

would meet the claimed limitation for the same reasons as discussed with respect to

claim 5 above.

8.   Claims 16 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Strauss in view of Hoeber et al (Patent No 5,276,795; hereinafter simply referred to

as Hoeber).

As to claims 16 and 40, Strauss teaches the limitations of claims 1 and 32 for the

same reasons as discussed with respect to claims 1 and 32 above. However, Strauss

does not explicitly teach that the user designates that the region or menu be held in

place when the symbol crosses the boundary.

Hoeber, however, discloses wherein the user designates that the region or menu

be held in place when the symbol crosses the boundary (e.g., the user using the

pushpin button 150 to keep the region or menu on the display, see Fig. 4a).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of pushpin button as taught by Hoeber to

the tracking menu as taught by Strauss to avoid the inefficient and time consuming

requirement of reselecting a particular menu button within a menu while allowing the

users to execute other operations (see Hoeber col. 7, lines 39-45).

9.   Claims 12, 19, 29-30, and 43 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Strauss in view of Nicholas, III (Patent No US 6,865,719 B1;

hereinafter simply referred to as Nicholas).

As to claim 12, Strauss teaches the limitations of claim 11 for the same reasons

as discussed with respect to claim 11 above. However, Strauss fails to explicitly teach

that the repositioning positions the menu a least Euclidean distance from the prior

position.

Nicholas, though, teaches wherein the repositioning positions the menu a least

Euclidean distance from the prior position (as shown in Fig. 4A, the movement distance

of the trailing messages from right to left as applied to 408a and 408b is minimized so

that the cursors 402a, 402b are still within the boundaries of the trailing messages 408a

and 408b).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of trailing message as taught by Nicholas

to the tracking menu as taught by Strauss to improve the message display and thus

enable a user to conveniently receive and access data and related applications, and

collaborate with other users, without interfering with the operation of running

applications or services (see Nicholas col. 2, lines 25-35).

As to claims 19 and 43, Strauss teaches the limitations of claims 1 and 32 for the

same reasons as discussed with respect to claims 1 and 32 above. However, Strauss

does not explicitly teach that the mobile tracking region deforms corresponding to a

shape of a persistent object when the symbol comes in a vicinity of a persistent object

or display edge. Nicholas, though, teaches wherein the mobile tracking region deforms

corresponding to a shape of a persistent object when the symbol comes in a vicinity of a

persistent object or display edge (see col. 8, lines 30-36 or Fig. 4A items 408d and

408e). Thus combining Strauss and Nicholas would meet the claimed limitation for the

same reasons as discussed with respect to claim 12 above.

As to claim 29, Strauss teaches the limitations of claim 28 for the same reasons

as discussed with respect to claim 28 above. However, Strauss does not explicitly

teach that a graphic object positioned between the menu and the display. Nicholas,

though, teaches a graphic object positioned between the menu and the display (i.e., the

task bar is positioned between the trailing message 408e and the browser display

screen, see Fig. 4A). Thus combining Strauss and Nicholas would meet the claimed

limitation for the same reasons as discussed with respect to claim 12 above.

As to claim 30, Strauss teaches the limitations of claim 28 for the same reasons

as discussed with respect to claim 28 above. However, Strauss does not explicitly

teach that a persistent graphic object positioned between tracking symbol and the menu

(i.e., the hyperlink "click here for info" is positioned between the cursor 202i and the item

234, see Fig. 2C). Thus combining Strauss and Nicholas would meet the claimed

limitation for the same reasons as discussed with respect to claim 12 above.

10.   Claims 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss

in view of Microsoft Excel 2000 (screen captures from Microsoft Excel 2000, hereinafter

simply refer to as Excel).

As to claim 39, Strauss teaches the limitations of claim 32 for the same reasons

as discussed with respect to claim 32 above. Strauss further teaches movement of the

tracking symbol (a cursor, see col. 1, lines 18-25) is responsive to movement by the

user of a stylus over a stylus sensing tablet (i.e., stylus on a touch-sensitive display

screen). However, Strauss fails to teach further comprising positioning the tracking

menu in correspondence when the stylus ends contact with the tablet. Excel, though,

teaches further comprising positioning the context menu (page 2 of the screen captures)

in correspondence when the stylus ends contact with the tablet (note the linear menu is

positioned to where the cursor left off the display, see page 2).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of continuing displaying the context menu

where the cursor leaving the display as taught by Excel to the tracking menu used with

a stylus in a PC tablet as taught by Strauss to provide the users the position where the

cursor last access the display (see Excel page 2).

11.   Claims 17-18 and 41-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Strauss in view of Hoeber and further in view of Nicholas.

As to claims 17 and 41, Strauss and Hoeber teach the limitations of claims 16 and 32 for the same reasons as discussed with respect to claims 16 and 32 above. However, Strauss and Hoeber do not explicitly teach that the interface or menu comprises an outline of the mobile tracking region when the tracking symbol is over a persistent object. Nicholas, though, teaches wherein the interface or menu comprises an outline of the mobile tracking region when the tracking symbol is over a persistent object (see Fig. 2A item 208c). Thus combining Strauss, Hoeber, and Nicholas would meet the claimed limitations for the same reasons as discussed with respect to claim 12 above.

As to claim 18, Strauss, Hoeber, and Nicholas teach the limitations of claim 17 for the same reasons as discussed with respect to claim 17 above. Nicholas further discloses wherein the interface is clipped when the tracking symbol exits the persistent object (see item 234 in Fig. 2C). Thus combining Strauss, Hoeber, and Nicholas would meet the claimed limitations for the same reasons as discussed with respect to claim 12 above.

As to claim 42, Strauss, Hoeber, and Nicholas teach the limitations of claim 41 for the same reasons as discussed with respect to claim 41 above. Nicholas further discloses converting the menu to a complete graphical menu when the symbol exist the persistent object (see item 208g in Fig. 2C); and clipping a portion of the complete graphical menu overlapping the persistent object (see item 234). Thus combining

Strauss, Hoeber, and Nicholas would meet the claimed limitations for the same reasons

as discussed with respect to claim 12 above.

12.   Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss

in view of Iwema and further in view of Nicholas.

As to claim 31, Strauss teaches:

A graphical user interface (drag toolbar enable application, see Fig. 1A),

comprising:

a tracking symbol (the cursor 4 as shown in Fig. 7) positioned corresponding to a

stylus input transducer movable by a user (i.e., a pointing device such as a stylus on a

touch-sensitive display screen, see col. 1, lines 18-20); and

a mobile tracking menu region ("follow me" zone 42 as shown in Fig. 7) having a

region boundary (i.e., the bounds of a region around the drag toolbar 40) enclosing the

tracking symbol (the cursor 4) with the tracking symbol being movable within the

boundary (i.e., when the cursor 4 is within the bounds of the "follow me" zone 42, the

drag toolbar 40 does not move, see col. 6, lines 59-67) with the region moving in

correspondence to the tracking symbol when the tracking symbol encounters the

boundary while moving (i.e., when the cursor 4 moves past the "follow me" zone

boundary 42, the drag toolbar 40 follows the cursor across the user's display), the menu

region having visible menu edge (i.e., a frame surrounding control button 8, 9 as shown

in Fig. 1B), the menu region having button controls (control buttons 8, 9 as shown in

Fig. 1B) activatable (e.g., the user can move the cursor to select a graphic image as

shown in Fig. 1B) when the tracking symbol corresponds to the controls (see item 6 in Fig. 1D) with a control changed in appearance when the tracking symbol is over the control (i.e., a tool tip appears if the cursor is over a control, see col. 2, lines 33-40) and is active (i.e., control 8 has a thicker frame indicating that the control is active, see Fig. 1D);

wherein the tracking symbol (the cursor 4) and region ("follow me" zone 42) are displayed on a tablet display (note that the tracking menu can be displayed in a touch-sensitive display screen, see col. 1, lines 18-21); and

the menu region being transparent when the tracking symbol is active (i.e., the drag toolbar 7 is transparent when button 8 is selected, instead icon 6 will be used to depict the currently selected option, see Fig. 1D), where the tracking symbol can be activated by the user selecting one of the controls (e.g., the user moves the cursor over the control, see col. 2, lines 27-30) and performs a selected function when active (icon 6 now can performed selected copying function, see Fig. 1D).

Strauss also discloses that the drag toolbar can be grayed out due to certain condition (see col. 8, lines 1-10). However, Strauss does not explicitly teaches that the tracking symbol is activated when the stylus touches the tablet; and the menu region being semi-transparent when the tracking symbol is inactive; and that the positioning corresponding to the motion of the input transducer stops when the stylus is out of range of the tablet.

Iwema, though, teaches:

the tracking symbol is activated when the stylus touches the tablet (i.e., the stylus

204 is pressured upon the display screen to effect input, see col. 7, lines 11-15); and

tracking when the tracking symbol is inactive (see col. 7, lines 11-15);

the positioning corresponding to the motion of the input transducer stops when

the stylus is out of range of the tablet (i.e., stylus 204 can be cause the menu to

reposition or display by hovering over on the tablet display without touching the screen,

see col. 7, lines 11-15).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of tracking when the stylus is inactive as

taught by Iwema to the tracking menu as taught by Strauss to manipulate data, enter

text, create drawings, enter system commands and/or execute conventional computer

application tasks (see Iwema col. 7, lines 5-10).

However, Strauss and Iwema still do not teach that the menu region is

repositioned a least Euclidean distance from the prior position corresponding to the

tracking symbol when the condition no longer exists; the interface comprises an outline

of the-mobile-tracking region when the tracking symbol is over a persistent object and

the interface is clipped as the tracking symbol exits the persistent object, and wherein

the mobile tracking region deforms corresponding to a shape of a persistent object

when the symbol comes in a vicinity of a persistent object or display edge.

Nicholas, though, teaches:

the menu region is repositioned a least Euclidean distance from the prior position

corresponding to the tracking symbol (as shown in Fig. 4A, the movement distance of

the trailing messages from right to left as applied to 408a and 408b is minimized so that

the cursors 402a, 402b are still within the boundaries of the trailing messages 408a and

408b) when the condition no longer exists (the cursor coming near or off the edge of the

display screen),

wherein the interface comprises an outline of the mobile tracking region when the

tracking symbol is over a persistent object (see Fig. 2A item 208c) and the interface is

clipped as the tracking symbol exits the persistent object (see item 234 in Fig. 2C), and

wherein the mobile tracking region deforms corresponding to a shape of a

persistent object when the symbol comes in a vicinity of a persistent object or display

edge (see col. 8, lines 30-36 or Fig. 4A items 408d and 408e).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have used the function of trailing message as taught by Nicholas

to the tracking menu as taught by Strauss and as modified by Iwema to improve the

message display and thus enable a user to conveniently receive and access data and

related applications, and collaborate with other users, without interfering with the

operation of running applications or services (see Nicholas col. 2, lines 25-35).

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Patent No. 6,097,387 is cited to teach a display screen for displaying a portion of

the graphical space using pan tool.

Patent No. 6,369,837 is cited to teach a semi-transparent context menu.

Patent No. 6,938,221 B2 is cited to teach a user interface for stylus-based user

input.

Inquiry

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is

571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00

(every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T
9/28/2006

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